



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of:

King *et al.*

U.S. Patent No. 5,464,864

Issued: November 7, 1995

For: **Use of Tetrahydrocarbazone
Derivatives as 5HT₁ Receptor
Agonists**

Atty. Docket: 0623.0900000/EKS/HLK

**Reply to Notice of Final Determination and Requirement For Election and
Election of Patent for Extension**

Attn: Mail Stop Patent Ext.

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Final Determination and Requirement for Election dated October 11, 2005, Applicant hereby elects U.S. Patent No. 5,464,864 for patent term extension. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

In accordance with 37 C.F.R. § 1.785(b), this Reply is provided within one month of the date of the Notice to elect a single application where multiple applications for extension of term are pending and otherwise eligible for extension based upon the same regulatory review period. This Reply is being filed concurrently with an express withdrawal of application for extension of patent term for U.S. Patent No. 5,616,603 pursuant to 37 C.F.R. § 1.770 and M.P.E.P. § 2764.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application,

then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Heidi L. Kraus
Attorney for Patentees
Registration No. 43,730

Date: November 10, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600